

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

IN RE: : CHAPTER 13
:
DAVID HERMAN LANIER, : CASE NO. 13-10868
:
Debtor(s) : JUDGE: W. HOMER DRAKE
:
:

OBJECTION TO CONFIRMATION AND MOTION TO DISMISS CASE

COMES NOW WILMINGTON TRUST, NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO CITIBANK, N.A. AS TRUSTEE FOR BEAR STEARNS ASSET BACKED SECURITIES TRUST 2007-SD2, ASSET BACKED CERTIFICATES SERIES 2007-SD2, BY JPMORGAN CHASE BANK, NA, ITS SERVICING AGENT, (hereinafter known as "Creditor"), a secured creditor holding a Security Deed on real property commonly known as **244 Salem Road, Lagrange, GA 30241**, and for the reasons stated below, objects to confirmation and moves to dismiss this case:

1.

The instant bankruptcy case was filed on April 3, 2013. The Debtor filed a chapter 13 plan on April 3, 2013. The Plan does not treat Creditor. The Debtor's Schedules and Statement of Financial Affairs fail to disclose the subject property.

2.

Creditor reserves the right to raise the failure of Debtor to have made post-petition payments, if at confirmation that appears to be the case.

WHEREFORE, Creditor prays that the Court deny confirmation and dismiss this case. In the alternative, Creditor prays for a strict compliance order on all payments due to it. Creditor prays for reasonable attorney's fees and for such other and further relief as is just and equitable.

/s/ Whitney Groff

Whitney Groff, Bar No.: GA 738079

Attorney for Creditor

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CERTIFICATE OF SERVICE

I certify that I am over the age of 18 and that on the date written below a copy of the foregoing ***Objection to Confirmation and Motion to Dismiss*** was served by email or by first class U.S. Mail, with adequate postage prepaid on the following persons or entities at the addresses stated:

The following Parties have been served via email:

W. Luther Jones ljlaw310@yahoo.com

Adam M. Goodman

The following parties have been served via U.S. Mail:

David Herman Lanier
19 Talley Road
Lagrange, GA 30240

Dated: May 28, 2013

/s/ Whitney Groff
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